

FILED
 UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MASSACHUSETTS
 CLERK'S OFFICE

Civil Action No. 05-CV-40147-FDS
 12/23/05 11:54 AM

TOMMARK, INC. d/b/a STERLING)
 ASSOCIATES,)
 Plaintiff)
)
 v.)
)
 TRAVELERS PROPERTY AND)
 CASUALTY COMPANY n/k/a THE ST.)
 PAUL TRAVELERS COMPANIES, INC.)
 Defendant)
 _____)

DEFENDANTS' MOTION FOR ADMISSIONS *PRO HAC VICE*

The defendants, The Travelers Indemnity Company and Travelers Property Casualty Company of America f/k/a Travelers Indemnity Company of Illinois (incorrectly pled as Travelers Property Casualty Company n/k/a The St. Paul Travelers Companies, Inc.) respectfully move this Court for the admission of attorneys: Frederick P. Marczyk, Laura A. Brady, and William T. Corbett, Jr., *pro hac vice*, for all activities in the above-referenced matter.

In support of this motion, the defendants state as follows:

1. The Defendants have engaged the services of Brent A. Tingle, a partner of the law firm Morrison Mahoney LLP, 10 Chestnut Street, Suite 470, Worcester, Massachusetts, as counsel in this action. Mr. Tingle is a member in good standing of the Bar of the Commonwealth of Massachusetts. Mr. Tingle's Massachusetts Board of Bar Overseers number is 559974.

2. Frederick P. Marczyk is a resident of the Commonwealth of Pennsylvania. Mr. Marczyk has been a practicing attorney since 2002. Mr. Marczyk is an Associate of the law firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

3. Laura A. Brady is a resident of the State of New Jersey. Ms. Brady has been a practicing attorney since 1991. Ms. Brady is Counsel for the law firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

4. William T. Corbett, Jr. is a resident of the State of New Jersey. Mr.. Corbett has been a practicing attorney since 1985. Mr. Corbett is a partner of the law firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

5. Mr. Marczyk, Ms. Brady, and Mr. Corbett are all members in good standing of the State Bar of New Jersey, duly licensed and admitted to practice law in that jurisdiction.

6. Mr. Marczyk's New Jersey attorney identification number is 03032202. (A complete list of Mr. Marczyk's bar admissions are set forth in the Affidavit of Frederick P. Marczyk attached hereto as Exhibit A).

7. Ms. Brady's New Jersey attorney identification number is 025141993. (A complete list of Ms. Brady's bar admissions are set forth in the Affidavit of Laura A. Brady attached hereto as Exhibit B).

8. Mr. Corbett's New Jersey attorney identification number is 03395-1996.

9. There are no disciplinary proceedings or criminal charges instituted or pending against Mr. Marczyk, Ms. Brady or Mr. Corbett in any jurisdiction.

10. Mr. Marczyk, Ms. Brady and Mr. Corbett are familiar with the Local Rules of the United States District Court for the District of Massachusetts.

11. If the Court shall allow Mr. Marczyk's, Ms Brady's and Mr. Corbett's applications to appear *pro hac vice* in the above-captioned matter, Mr. Marczyk, Ms. Brady and Mr. Corbett will represent their clients, the defendants, in this proceeding together with the undersigned counsel, a member of the Bar of this Court, until the final determination hereof, and

with reference to all matters, incidents or proceedings, they will each agree that they shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court in all respects as if they were regularly admitted and licensed members of the Bar of this Court in good standing.

12. The Affidavits of Frederick P. Marczyk, Laura A. Brady, and William T. Corbett, Jr. are attached hereto as Exhibits "A," "B," and "C" respectively and incorporated herein by reference.

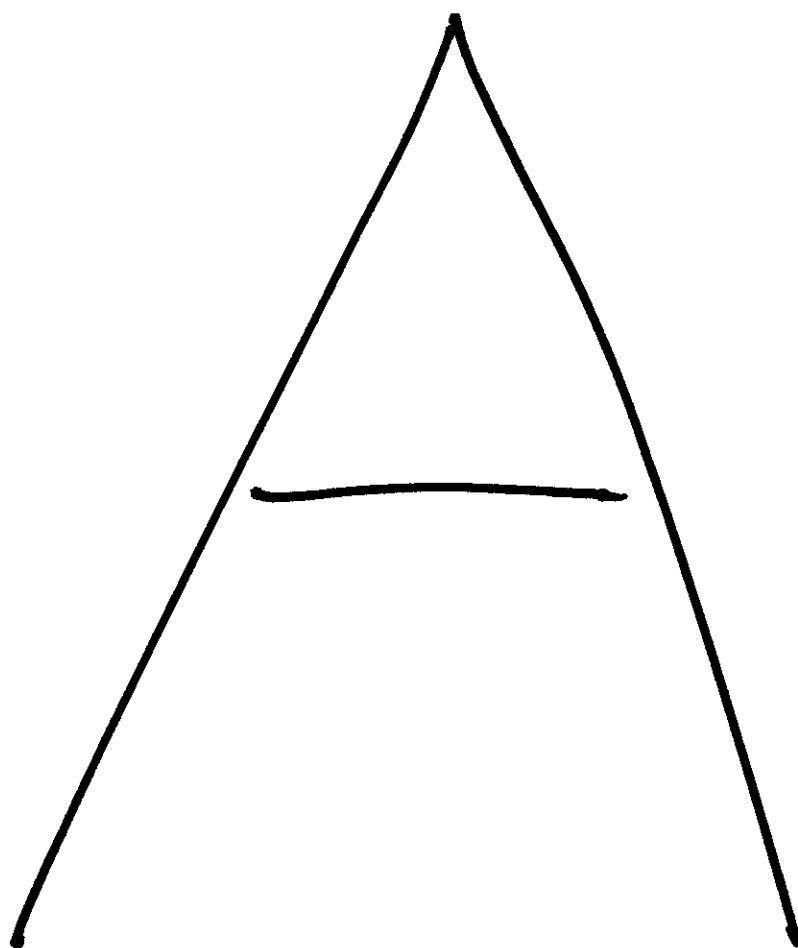
WHEREFORE, defendants, The Travelers Indemnity Company and Travelers Property Casualty Company of America f/k/a Travelers Indemnity Company of Illinois (incorrectly pled as Travelers Property Casualty Company n/k/a The St. Paul Travelers Companies, Inc.), respectfully request this Court admit attorneys: Frederick P. Marczyk, Laura A. Brady, and William T. Corbett, Jr., *pro hac vice* in this matter to assist with the undersigned counsel in all pre-trial and trial proceedings.

The Defendants,
THE TRAVELERS INDEMNITY COMPANY and
TRAVELERS PROPERTY CASUALTY COMPANY
OF AMERICA f/k/a TRAVELERS INDEMNITY
COMPANY OF ILLINOIS (incorrectly pled as
TRAVELERS PROPERTY AND CASUALTY
COMPANY n/k/a THE ST. PAUL TRAVELERS
COMPANIES, INC.)

By Their Attorneys,
MORRISON MAHONEY LLP

Brent A. Tingle, BBO# 559974
10 Chestnut Street, Suite 470
Worcester, MA 01608
508-757-7777
508-752-6224 fax

Dated: December 22, 2005



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05-CV40147-FDS

TOMMARK, INC. d/b/a STERLING)
ASSOCIATES,)
Plaintiff)
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v.)
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TRAVELERS PROPERTY AND)
CASUALTY COMPANY n/k/a THE ST.)
PAUL TRAVELERS COMPANIES, INC.)
Defendant)
_____)

AFFIDAVIT OF FREDERICK P. MARCZYK

I, Frederick Marczyk, being duly sworn according to law, do hereby depose and state that:

1. I am a resident of the Commonwealth of Pennsylvania. I have been a practicing attorney since 2002. I am an Associate of the firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

2. I am a member in good standing of the State Bar of New Jersey, duly licensed and admitted to practice law in that jurisdiction. My New Jersey attorney identification number is 030322002.

3. The following is a summary of my bar admissions:


<u>COURT:</u>	<u>DATE OF ADMISSION:</u>	<u>ID#</u>
State of New Jersey	January 1, 2003	030322002
Comm. of Pennsylvania	November 25, 2002	89878
U.S. Dist. Court (N.J)	April 1, 2003	FM9318
U.S. Dist. Court (E.D. PA)	December 19, 2002	N/A
U.S. Dist. Court (S.D. NY)	May 4, 2004	

4. There are no disciplinary proceedings or criminal charges instituted or pending against me in any jurisdiction.

5. I am familiar with the Local Rules of the United States Court for the District of Massachusetts.

6. If the Court shall allow my application to appear *pro hac vice* in the above-captioned matter, I will represent my clients, the defendants, in this proceeding together with the undersigned counsel, a member of the Bar of this Court, until the final determination thereof, and with reference to all matters, incidents or proceedings, I will agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court in all respects as if I were a regularly admitted and licensed member of the Bar of this Court in good standing.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 14th DAY OF
DECEMBER 2005



Frederick P. Marczyk

B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05-CV40147-FDS

TOMMARK, INC. d/b/a STERLING)
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Plaintiff)
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v.)
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TRAVELERS PROPERTY AND)
CASUALTY COMPANY n/k/a THE ST.)
PAUL TRAVELERS COMPANIES, INC.)
Defendant)
_____)

AFFIDAVIT OF LAURA A. BRADY

I, Laura A. Brady, being duly sworn according to law, do hereby depose and state that:

1. I am a resident of the State of New Jersey. I have been a practicing attorney since 1992. I am Counsel with the firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

2. I am a member in good standing of the State Bar of New Jersey, duly licensed and admitted to practice law in that jurisdiction. My New Jersey attorney identification number is 025141993.

3. The following is a summary of my bar admissions:

<u>COURTS TO WHICH ADMITTED:</u>	<u>LOCATION:</u>	<u>DATE OF ADMISSION:</u>	<u>ID#:</u>
Commonwealth of Massachusetts		Dec. 17, 1991 (inactive status)	560110
State of New Jersey		Dec. 23, 1993	025141993
U.S. District Court	D. of New Jersey	Feb. 1, 1994	LB8126
U.S. District Court	W.D. of Michigan	Sept. 19, 1996	
U.S. District Court	E.D. of Arkansas	May 10, 2004	inactive status
U.S. District Court	W.D. of Arkansas	May 10, 2004	inactive status
U.S. Court of Appeals	First Circuit	Jan. 31, 2001	76142
U.S. Court of Appeals	Third Circuit	Nov. 13, 2002	
U.S. Court of Appeals	Fourth Circuit	Dec. 10, 2002	
U.S. Court of Appeals	Fifth Circuit	Oct. 3, 2001	
U.S. Court of Appeals	Sixth Circuit	Feb. 26, 1997	
U.S. Court of Appeals	Eighth Circuit	Feb. 7, 2000	
U.S. Court of Appeals	Eleventh Circuit	Sept. 10, 2001	

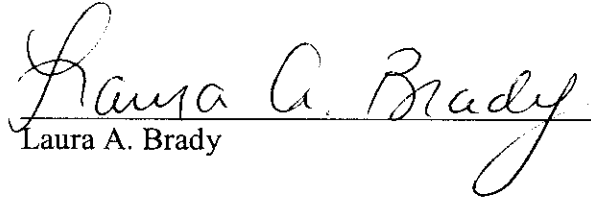
4. There are no disciplinary proceedings or criminal charges instituted or pending against me in any jurisdiction.

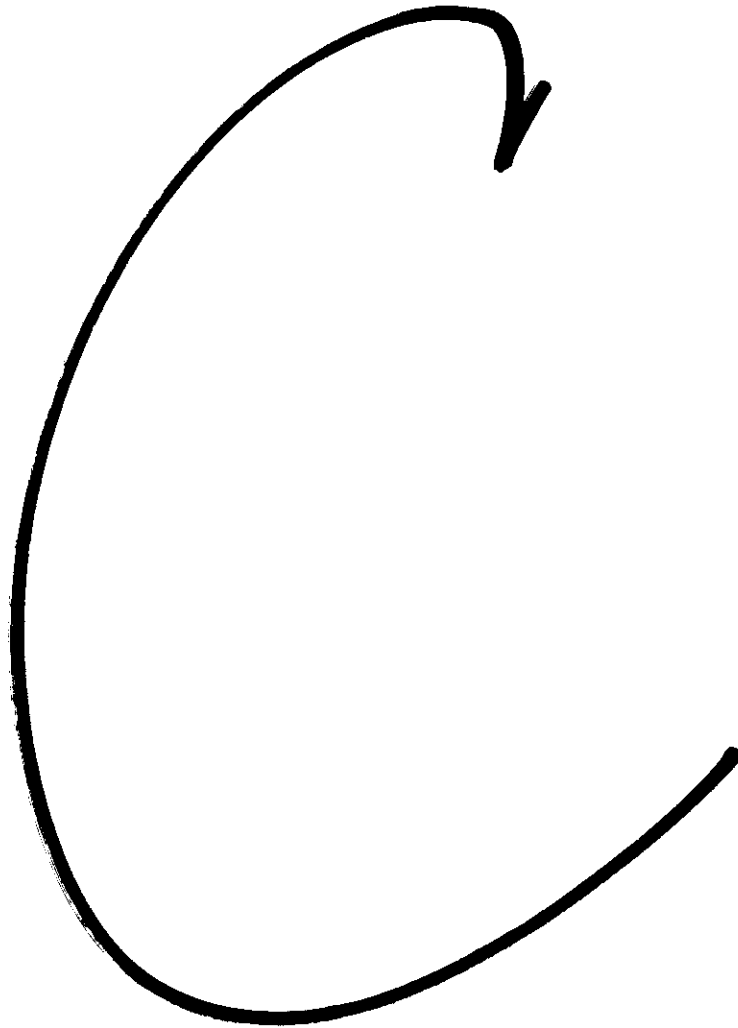
5. I am familiar with the Local Rules of the United States Court for the District of Massachusetts.

6. If the Court shall allow my application to appear *pro hac vice* in the above-captioned matter, I will represent my clients, the defendants, in this proceeding together with the undersigned counsel, a member of the Bar of this Court, until the final determination thereof, and

with reference to all matters, incidents or proceedings, I will agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court in all respects as if I were a regularly admitted and licensed member of the Bar of this Court in good standing.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 19th DAY OF
DECEMBER 2005


Laura A. Brady



UNITED STATES DISTRICT COURT
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Plaintiff)
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v.)
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TRAVELERS PROPERTY AND)
CASUALTY COMPANY n/k/a THE ST.)
PAUL TRAVELERS COMPANIES, INC.)
Defendant)
_____)

AFFIDAVIT OF WILLIAM T. CORBETT, JR.

I, William T. Corbett, Jr., being duly sworn according to law, do hereby depose and state that:

1. I am a resident of the State of New Jersey. I have been a practicing attorney since 1985. I am a partner of the firm of Drinker Biddle & Reath LLP, 500 Campus Drive, Florham Park, New Jersey 07932-1047.

2. I am a member in good standing of the State Bar of New Jersey, duly licensed and admitted to practice law in that jurisdiction. My New Jersey attorney identification number is 03395-1996.

3. The following is a summary of my bar admissions:

<u>COURT:</u>	<u>LOCATION:</u>	<u>DATE OF ADMISSION:</u>	<u>ID #</u>
State of Connecticut		Dec. 5, 1985	303556
U.S. District Court	D. Connecticut	Nov. 14, 1988	
U.S. Court of Appeals	Fifth Circuit	Jan. 11, 1996	N/A
U.S. District Court	W.D. Michigan	Nov. 7, 1996	
U.S. Court of Appeals	Third Circuit	Feb. 5, 1997	N/A
State of New Jersey		Feb. 13, 1997	03395-1996
U.S. Court of Appeals	Sixth Circuit	Feb. 26, 1997	N/A
U.S. District Court	D. New Jersey	July 2, 1997	WC8283
U.S. District Court	D. Colorado	August 27, 1997	
U.S. Court of Appeals	Fourth Circuit	June 3, 1998	N/A
U.S. Court of Appeals	Eighth Circuit	Dec. 18, 1998	N/A
U.S. Court of Appeals	Tenth Circuit	Dec. 29, 1998	N/A
U.S. District Court	S.D.N.Y.	Dec. 5, 2000	
U.S. District Court	W.D. of Wisconsin	Jan. 19, 2001	
U.S. Court of Appeals	First Circuit	Jan. 31, 2001	75760
U.S. Court of Appeals	Eleventh Circuit	Sept. 10, 2001	N/A
U.S. District Court	Eastern & Western Districts of Arkansas	May 10, 2004	

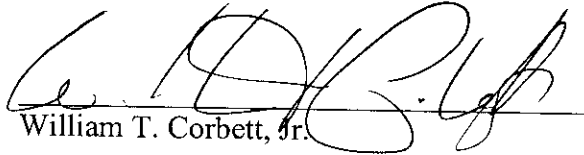
4. There are no disciplinary proceedings or criminal charges instituted or pending against me in any jurisdiction.

5. I am familiar with the Local Rules of the United States Court for the District of Massachusetts.

6. If the Court shall allow my application to appear *pro hac vice* in the above-captioned matter, I will represent my clients, the defendants, in this proceeding together with the undersigned counsel, a member of the Bar of this Court, until the final determination thereof, and

with reference to all matters, incidents or proceedings, I will agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court in all respects as if I were a regularly admitted and licensed member of the Bar of this Court in good standing.

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DECEMBER 2005



William T. Corbett, Jr.